

District  
THE CIRCUIT COURT FOR THE Southern Civil  
Livingston COUNTY, ILLINOIS

Jeff McGraw, Y38458

Petitioner

v.

Peck et al

Respondent

No. 3:21-CV-00800 SMY

SCANNED AT PON CC

EMAILED 11/15/21 (date)

BY SK (initials)

2 (# of pages)

### MOTION FOR APPOINTMENT OF COUNSEL

The undersigned (Petitioner/Respondent), Jeff McGraw, Y38458, respectfully moves the court to appoint counsel for (him/her) in this cause. In support, (Petitioner/Respondent) states:

1. I have been incarcerated continuously since \_\_\_\_\_, and am presently held in custody and residing at the Pontiac Correctional Center in Pontiac Illinois, County of Livingston.
2. I am without sufficient income or assets with which to pay for the costs of these proceedings or to employ an attorney to represent me in this matter.
3. I am without the services of counsel to represent me in this matter and I wish the Court to appoint counsel to represent me in this matter.
4. I have a constitutional right to access to the courts, and without the assistance of counsel, my access to the courts will not be adequate, effective or meaningful because:  
I didn't graduate high school, & the people who helped me to file my initial lawsuit aren't around me anymore & if it comes to litigation at a trial I would be inadequate in representing myself.
5. My (claim/defense) in this matter is not frivolous or malicious, but is colorable and meritorious.
6. Since this matter concerns the (condition/duration) of my confinement, I have sought (institutional/administrative) review of this matter through the proper grievance procedures before this action was filed. (At this point state what, if any, action was taken or decision that was made concerning your grievances).

The ruling was with the institution until a week ago when I was taken to have a procedure done that proved the I.D.C. medical practitioners had been negligent.

WHEREFORE, (Petitioner/Respondent) \_\_\_\_\_, respectfully requests that counsel be appointed to represent (him/her) in this matter.

Jeff McGraw  
(Your Signature)

Type or print name Jeff McGraw

Register number Y38458

Pontiac Correctional Center

Box 99

Pontiac, Illinois 61764

(Petitioner/Respondent), Pro Se

## AFFIDAVIT OF SERVICE

I, Jeff McGraw, state that I served a copy of the document to which this affidavit is attached upon each party, or, if represented by counsel, upon the attorney of record for said party (ies) by enclosing the same in a sealed envelope plainly addressed as is disclosed by the pleadings of record herein and by depositing each of such envelopes in the box designated for United States mail at Portia Correctional Center, Portia Illinois, together with the appropriate request to the prison official responsible to affix fully prepaid thereon, on this 11 day of November, 2021.

  
\_\_\_\_\_  
Signature

## VERIFICATION

I, Jeff McGraw, the undersigned, certify and state that:

1. I am the (Petitioner/Respondent) in the above captioned legal matter.
2. I have read the foregoing application and have knowledge of its contents; and
3. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the statements set forth in the foregoing motion and this affidavit are true and correct except as to matters therein stated to be on information and belief, and as to such matters I certify that I believe the same to be true.

  
\_\_\_\_\_  
(Your signature)



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS  
prisoner.esl@ilsd.uscourts.gov

ELECTRONIC FILING COVER SHEET

Please complete this form and include it when submitting any type of document, letter, pleading, etc. to the U.S. District Court for the Southern District of Illinois for review and filing.

Jeff McGraw  
Name

Y38958  
ID Number

Please answer questions as thoroughly as possible and circle yes or no where indicated.

1. Is this a new civil rights complaint or habeas corpus petition?

☒ Yes or ☐ No

If this is a habeas case, please circle the related statute: 28 U.S.C. 2241 or 28 U.S.C. 2254

2. Is this an Amended Complaint or an Amended Habeas Petition?

☒ Yes or ☐ No

If yes, please list case number: 3:21-CV-00800-SMY

If yes, but you do not know the case number mark here: \_\_\_\_\_

3. Should this document be filed in a pending case?

☒ Yes or ☐ No

If yes, please list case number: 3:21-CV-00800-SMY

If yes, but you do not know the case number mark here: ☒

4. Please list the total number of pages being transmitted:

1

5. If multiple documents, please identify each document and the number of pages for each document. For example: Motion to Proceed In Forma Pauperis, 6 pages; Complaint, 28 pages.

Name of Document

Motion for Appointment of Counsel

Number of Pages

1

5 Affidavit of Service

1

Please note that discovery requests and responses are NOT to be filed, and should be forwarded to the attorney(s) of record. Discovery materials sent to the Court will be returned unfiled.